

CITY OF CHESAPEAKE, VIRGINIA

REQUEST FOR PROPOSALS
LEASE OF REAL PROPERTY

1102 Centerville Turnpike, South
Tax Map Parcel No. 061000000950

I. OVERVIEW

- REAL PROPERTY:** A parcel of land on Centerville Turnpike South, in the City of Chesapeake, Virginia (T.P. 061000000950). See Exhibit “A” attached.
- PURPOSE:** The City of Chesapeake (“City”) is seeking proposals from qualified Responders to lease the property.
- SPECIFICATIONS:** Estimated land area is 16.56 +/- Acres.
- BACKGROUND:** The property is currently being farmed.
- LEASE TERM:** The rent and term of the lease is negotiable. The term of the proposed lease will not exceed 40 years.

II. FUTURE USE

The City requests qualified persons/companies submit proposals to state their intended purpose for the use of the land. Qualified responders should include in their responses (i) the amount of rent they are willing to pay, and (ii) a description of how this property would be used and designed, including egress and ingress. Residential and other land uses deemed incompatible with Fentress Airfield Overlay District are prohibited. The property is being leased “AS IS.”

III. PROPOSAL REQUIREMENTS

- A. Respondent Qualifications:**
1. Experience – Qualified responders will have experience in the type of use proposed.
 2. Insurability – Qualified responders shall have the minimum insurance requirements listed below:

<u>Form</u>	<u>Limits</u>
Workers' Compensation	Statutory
Employers' Liability	\$100,000 each accident/\$100,000 each disease/ \$500,000 disease policy limit
Automobile Liability	\$1,000,000 Combined Single Limit per accident
Commercial General Liability	\$1,000,000 Combined Single Limit per Occurrence, \$2,000,000 aggregate

The City of Chesapeake shall be a named additional insured on the Commercial General Liability policy requiring an endorsement from the insurance carrier.

3. Responder can have no outstanding debts or claims against the City at the time of execution.

B. Submittal of Proposals:

Each Respondent must submit with its proposal the items listed below:

1. Five (5) copies of each proposal enclosed in two (2) envelopes (outer and inner), each of which shall be sealed, and the inner envelope clearly labeled "Request for Proposals, Lease of Real Property, 1102 Centerville Turnpike South"
2. All proposals shall be received and date-stamped in the location described below no later than **FRIDAY, MAY 31, 2019 at 5:00 p.m. local time.** All proposals received after that time will not be considered, and will be returned unopened to the respondent.
3. Location for submissions:

City of Chesapeake
Attention: Jean B. Rella, Right of Way Agent
Department of Public Works
306 Cedar Road, Third Floor
Chesapeake, Virginia 23322

4. Proposals submitted by telephone, facsimile, or e-mail will not be considered.
5. All inquiries for information should be directed to **Katie Wilson**, of **Right of Way** via email only: **kmwilson@cityofchesapeake.net.**

6. All relevant documents to this Request for Proposals can be found online at: **cityofchesapeake.net**
7. It is understood and agreed that this proposal may be modified, by mutual agreement in subsequent negotiations.
- C. Contents of Proposal: Respondents must include in their proposal the following documents and information which will be used as an evaluation criteria:
 1. Evidence of insurability at limits described above and a copy of your current insurance coverage;
 2. A description of the proposed use of the property;
 3. A description of your relevant experience;
 4. Types of improvements (if any) to be made by responder at the responder's expense;
 5. Targeted timeline for needed improvements, if applicable;
 6. Proposed terms of lease agreement including rent offered;
 7. Letter of credit showing ability to provide necessary financing, if applicable;
 8. Landlord/mortgage company references for the past two (2) years;
 9. Anticollusion / Nondiscrimination / Drug Free Workplace Form as referenced below;
 10. Certification of compliance with Immigration Laws and Regulations as referenced below.

IV. REVIEW AND SELECTION

Proposals will be reviewed by City staff to determine if they are responsible and responsive. A summary of all proposals received will be provided to the Chesapeake City Council ("City Council") for their review. The City Council will evaluate the proposals based on several criteria, including, but not limited to, the lease rate offered for the real property, the highest and best use of the property, non-monetary benefits to the citizens of Chesapeake, including, but not limited to, community development, and promotion of the public health, safety and welfare, and the best interests of the City. The participants will be notified by mail of the City Council's selection. The City Council reserves the right to reject any and all proposals and to select the proposal that it deems is in the best interests of the City, even if it is not the highest lease rate. The selection among the proposals shall be in the sole discretion of the City Council.

Only responsive and responsible proposals will be considered. Proposals that attempt to change or do not meet the requirements in this Request for Proposals may be rejected as being non-responsive. Each proposal shall be considered a valid offer until the City notifies participants that City Council has selected a proposal.

If a proposal is selected, the City will notify the selected participant and will prepare a lease agreement setting forth the terms consistent with the terms in the Request for Proposals and the participant's proposal. The tenant will sign the lease agreement, and the matter will be placed on the City Council's agenda for a public hearing and formal

approval pursuant to applicable laws and procedures. Advertisement of the public hearing will be pre-paid by the tenant unless waived by the Public Works Department. City Council has the absolute authority to award the lease to any offeror, or to refuse all offers.

The City of Chesapeake does not discriminate against faith based organizations in accordance with Code of Virginia Section 2.2-4343.1 or against any contractor, bidder, or offeror because of race, religion, color, sex, national origin, disability or any other basis prohibited by State law relating to discrimination in employment.

V. Anticollusion / Nondiscrimination / Drug-Free Workplace Form

The attached Anticollusion/Nondiscrimination/Drug-Free Workplace form incorporated herein should be executed and returned with the proposal documents.

VI. Certification of Compliance with Immigration Laws and Regulations

The Certification of Compliance with Immigration Laws and Regulations incorporated herein should be executed and returned with the proposal documents.

VII. State Corporation Commission Identification Number

Pursuant to Code of Virginia, Section 2.2-4311.2, subsection B, a bidder or offeror organized or authorized to transact business in the Commonwealth of Virginia pursuant to Title 13.1 or Title 50 is required to include in its bid or proposal the identification number issued to it by the State Corporation Commission (SCC). Any bidder or offeror that is not required to be authorized to transact business in the Commonwealth as a foreign business entity under Title 13.1 or Title 50 or as otherwise required by law is required to include in its bid or proposal a statement describing why the bidder or offeror is not required to be so authorized.

SCC Identification Number: _____ (REQUIRED)

Name and Address of Proposer:

Date: _____

By: _____

(signature in ink)

Typed name: _____

FEIN/SSN # _____

Telephone No. () _____

Anticollusion / Nondiscrimination / Drug-Free Workplace Form

ANTICOLLUSION/NONDISCRIMINATION/DRUG-FREE WORKPLACE CLAUSE

ANTICOLLUSION CLAUSE:

IN THE PREPARATION AND SUBMISSION OF THIS PROPOSAL/BID, THE OFFEROR/BIDDER DID NOT EITHER DIRECTLY OR INDIRECTLY ENTER INTO ANY COMBINATION OR ARRANGEMENT WITH ANY PERSON, FIRM, OR CORPORATION, OR ENTER INTO ANY AGREEMENT, PARTICIPATE IN ANY COLLUSION, OR OTHERWISE TAKE ANY ACTION IN THE RESTRAINT OF FREE, COMPETITIVE BIDDING IN VIOLATION OF THE SHERMAN ACT (15 U.S.C. SECTION 1), SECTIONS 59.1-9.1 THROUGH 59.1-9.17 OR SECTIONS 59.1-68.8 THROUGH 59.1-68.8 OF THE CODE OF VIRGINIA, 1950, AS AMENDED.

THE UNDERSIGNED OFFEROR/BIDDER HEREBY CERTIFIES THAT THIS AGREEMENT, OR ANY CLAIMS RESULTING THEREFROM, IS NOT THE RESULT OF, OR AFFECTED BY, ANY ACT OF COLLUSION WITH, OR ANY ACT OF, ANOTHER PERSON OR PERSONS, FIRM OR COPORATION ENGAGED IN THE SAME LINE OF BUSINESS OR COMMERCE, AND THAT NO PERSON ACTING FOR, OR EMPLOYED BY, THE CITY OF CHESAPEAKE HAS AN INTEREST IN, OR IS CONCERNED WITH, THIS PROPOSAL/BID, AND THAT NO PERSON OR PERSONS, FIRM OR CORPORATION OTHER THAN THE UNDERSIGNED, HAVE, OR ARE, INTERESTED IN THIS PROPOSAL/BID.

DRUG-FREE WORKPLACE:

DURING THE PERFORMANCE OF THIS CONTRACT/LEASE, THE OFFEROR/TENANT AGREES TO (I) PROVIDE A DRUG-FREE WORKPLACE FOR THE OFFEROR'S/TENANT'S EMPLOYEES; (II) POST IN CONSPICUOUS PLACES, AVAILABLE TO EMPLOYEES AND APPLICANTS FOR EMPLOYMENT, A STATEMENT NOTIFYING EMPLOYEES THAT THE UNLAWFUL MANUFACTURE, SALE, DISTRIBUTION, DISPENSATION, POSSESSION, OR USE OF A CONTROLLED SUBSTANCE OR MARIJUANA IS PROHIBITED IN THE OFFEROR'S/TENANT'S WORKPLACE AND SPECIFYING THE ACTIONS THAT WILL BE TAKEN AGAINST EMPLOYEES FOR VIOLATIONS OF SUCH PROHIBITION; (III) STATE IN ALL SOLICITATIONS OR ADVERTISEMENTS FOR EMPLOYEES PLACED BY OR ON BEHALF OF THE OFEROR/TENANT THAT THE OFFEROR/TENANT MAINTAINS A DRUG-FREE WORKPLACE; AND (IV) INCLUDE THE PROVISIONS OF THE FOREGOING SECTIONS I, II, AND III IN EVERY SUBCONTRACT OR PURCHASE

ORDER OF OVER \$10,000 SO THAT PROVISIONS WILL BE BINDING UPON EACH SUBCONTRACTOR OR VENDOR.

FOR THE PURPOSE OF THIS SECTION, "DRUG-FREE WORKPLACE" MEANS A SITE FOR THE PERFORMANCE OF WORK DONE IN CONNECTION WITH A SPECIFIC CONTRACT/LEASE AWARDED TO AN OFFEROR/TENANT IN ACCORDANCE WITH THIS CHAPTER, THE EMPLOYEES OF WHOM ARE PROHIBITED FROM ENGAGING IN THE UNLAWFUL MANUFACTURE, SALE, DISTRIBUTION, DISPENSATION, POSSESSION OR USE OF ANY CONTROLLED SUBSTANCE OR MARIJUANA DURING THE PERFORMANCE OF THE CONTRACT/LEASE.

NONDISCRIMINATION CLAUSE:

1. EMPLOYMENT DISCRIMINATION BY OFFEROR/BIDDER SHALL BE PROHIBITED.
2. DURING THE PERFORMANCE OF THIS LEASE, THE SUCCESSFUL OFFEROR/BIDDER SHALL AGREE AS FOLLOWS:
 - a) THE OFFEROR/BIDDER WILL NOT DISCRIMINATE AGAINST ANY EMPLOYEE OR APPLICANT FOR EMPLOYMENT BECAUSE OF RACE, RELIGION, COLOR, SEX, NATIONAL ORIGIN, AGE, DISABILITY, OR ANY OTHER BASIS PROHIBITED BY STATE LAW RELATING TO DISCRIMINATION IN EMPLOYMENT, EXCEPT WHERE THERE IS A BONA FIDE OCCUPATIONAL QUALIFICATION/CONSIDERATION REASONABLY NECESSARY TO THE NORMAL OPERATION OF THE OFFEROR/BIDDER. THE OFFEROR/BIDDER AGREES TO POST IN CONSPICUOUS PLACES, AVAILABLE TO EMPLOYEES AND APPLICANTS FOR EMPLOYMENT, NOTICES SETTING FORTH THE PROVISIONS OF THIS NONDISCRIMINATION CLAUSE.
 - b) THE OFFEROR/BIDDER, IN ALL SOLICITATIONS OR ADVERTISEMENTS FOR EMPLOYEES PLACED ON BEHALF OF THE OFFEROR/BIDDER, WILL STATE THAT SUCH OFFEROR/BIDDER IS AN EQUAL OPPORTUNITY EMPLOYER.
 - c) NOTICES, ADVERTISEMENTS, AND SOLICITATIONS PLACED IN ACCORDANCE WITH FEDERAL LAW, RULE OR REGULATION SHALL BE DEEMED SUFFICIENT FOR THE PURPOSE OF MEETING THE REQUIREMENTS OF THIS SECTION.
 - d) OFFEROR/BIDDER WILL INCLUDE THE PROVISIONS OF THE FOREGOING SECTIONS A, B, AND C IN EVERY SUBCONTRACT OR PURCHASE ORDER OF OVER \$10,000 SO THAT THE PROVISIONS WILL BE BINDING UPON EACH SUBCONTRACTOR OR VENDOR.

Name of Offeror: _____

Date: _____

By: _____ (SEAL)

Print Name: _____

Title: _____

**CERTIFICATION OF COMPLIANCE WITH IMMIGRATION
LAWS AND REGULATIONS**

Section 54.72.2 of the Chesapeake City Code requires that any person or entity doing business with the City of Chesapeake, including its boards and commissions, shall include a sworn certification by the contractor or vendor of compliance with all federal immigration laws and regulations. These laws include the Federal Immigration Reform and Control Act, which makes it unlawful for a person or other entity to hire, recruit, or refer for a fee for employment in the United States, an alien knowing the alien is unauthorized, and Section 40.1-11.1 of the Code of Virginia, which makes it unlawful for any employer to knowingly employ an alien who cannot provide documents indicating that he or she is legally eligible for employment in the United States. The state law, in particular, places an affirmative duty on employers to ensure that aliens have proof of eligibility for employment.

Accordingly, this certification shall be completed and attached to all contracts and agreements for goods and services made by the City of Chesapeake or any of its boards and commissions. Failure to attach a completed certification shall render the contract or agreement void.

Type or print legibly when completing this form.

Legal name of contractor or vendor:

(Note: This is your name as reported to the IRS. This should match your Social Security card of Federal ID Number.)

Type of business entity:

Sole proprietorship (Provide full name and address of owner):

Limited Partnership (Provide full name and address of all partners):

General Partnership (Provide full name and address of all partners):

Limited Liability Company (Provide full name and address of all managing members):

Corporation (Provide full name and address of all officers):

Doing Business As:

If Applicable (Note: This is the name that appears on your invoices but is not used as your reporting name):

Name and Position of person completing this Certificate:

Physical Business Address:

Primary Correspondence Address (if different from physical address):

Number of employees:

Are all employees eligible for employment in the United States?

Under penalties of perjury, I declare on behalf of the contractor/vendor listed above that to the best of my knowledge and based upon reasonable inquiry, each and every one of the contractor's/vendor's employees are eligible for employment in the United States as required by the Federal Immigration Reform and Control Act of 1986 and Section 40.1-11.1 of the Code of Virginia. I further declare on behalf of the contractor/vendor that the contractor/vendor shall use due care and diligence to ensure that all employees hired in the future will be eligible for employment in the United States. I affirm that the information provided herein is true, correct, and complete.

Subscribed to this _____ day of _____, 20____, on behalf of _____, as evidenced by the following signature and seal:

Name of contractor/vendor: _____

Printed name of Signatory: _____

Signature: _____

Date: _____

COMMONWEALTH OF VIRGINIA,
CITY/COUNTY OF _____, to-wit:

The foregoing Certification of Compliance with Immigration Laws and Regulations was acknowledged before me this _____ day of _____, 20____, by _____, in his/her capacity as _____ for _____. He/She is personally known to me or has presented valid proof of his/her identity.

Notary Public

Registration No.: _____

My commission expires: _____

OFFEROR INFORMATION:

Name of Proposer: Individual, Business or Organization:

By: _____ Date: _____
(signature in ink)

Print name: _____

Title: _____

Address: _____

E-mail: _____

Phone No. (_____) _____ Fax No. (_____) _____

FEIN / SSN #: _____

Is your firm a "minority" business? Yes No If yes, please indicate the "minority" classification below:

African American Hispanic American American Indian Eskimo Asian

Aleut Other; please explain: _____

Is your firm Woman Owned? Yes No

Is your firm a Small Business? Yes No

EXHIBIT "A"

GIS Exhibit / Photographs Showing the Property